

§319.73-3 Conditions for transit movement of certain products through Puerto Rico or Hawaii.

(a) Transit shipments from any foreign country through Puerto Rico or Hawaii of samples of unroasted coffee seeds and beans in closed mail dispatches, destined to foreign countries or to destinations elsewhere in the United States in compliance with this subpart, will be allowed to proceed without action by the inspector. Other samples of unroasted coffee seeds or beans received by mail in the post offices in Puerto Rico or Hawaii shall be subject to inspection and safeguard action by the inspector, who shall require their immediate return to origin or immediate forwarding to a destination elsewhere in the United States in compliance with this subpart. Such return or onward movement shall be made in closed mail dispatches. If such immediate action is not possible the samples shall be destroyed.

(b) Samples of unroasted coffee seeds or beans coming to Puerto Rico or Hawaii as cargo and not unloaded in Puerto Rico or Hawaii will be allowed to proceed to a foreign destination or to a destination elsewhere in the United States in compliance with paragraph (a) of this section. If the samples are to be unloaded and transshipped in Puerto Rico or Hawaii, it shall be done immediately after the inspector ascertains that the samples are properly wrapped or packaged to prevent the escape of any plant pests that may be present during transit and, before transshipment the carrier shall rewrap or package the samples in such manner as the inspector may require if he deems such action is necessary to prevent the escape of any plant pests that may be present.

(c) Other mail, cargo, and baggage shipments of products covered by §319.73-2, arriving in Puerto Rico or Hawaii shall not be unloaded or transshipped in Puerto Rico or Hawaii and shall be subject to the inspection and other applicable requirements of the Plant Safeguard Regulations (part 352 of this chapter).

[35 FR 14497, Sept. 16, 1970]

§319.73-4 Costs.

All costs incident to the inspection, handling, cleaning, safeguarding, treating, or other disposal of products or articles under this subpart, except for the services of an inspector during regularly assigned hours of duty and at the usual places of duty, shall be borne by the owner, or his agent, having responsible custody thereof.

[35 FR 14498, Sept. 16, 1970]

Subpart—Cut Flowers**QUARANTINE****§319.74 Notice of quarantine.**

(a) The Secretary of Agriculture, having given the public hearing required by law and having determined the pest risk involved, forbids the importation of cut flowers into the United States from foreign countries, including those in Europe, Asia, Africa, Australia, South America, Central America, North America, and other foreign countries and islands (other than cut flowers produced in the Dominion of Canada, Labrador, Newfoundland, and the United States), except as provided in the regulations supplemental to this subpart.

(b) This subpart shall not be construed to modify provisions applicable to cut flowers included in special quarantine or other restrictive orders now in force or hereafter promulgated.

(c) As used in this section, the term *United States* means the continental United States, Guam, Hawaii, Puerto Rico, and the Virgin Islands of the United States.

RULES AND REGULATIONS**§319.74-1 Definitions.**

For the purpose of the regulations in this subpart the following words, names, and terms shall be construed, respectively, to mean:

(a) *Cut flower*. The highly perishable commodity known in the commercial flower-producing industry as a cut flower, and being the severed portion of a plant, including the inflorescence, and any parts of the plant attached thereto, in a fresh state. This definition shall not include dried, bleached,